

REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated June 3, 2003 (U.S. Patent Office Paper No. 9). In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

As outlined above, claims 1 and 2 are being canceled without prejudice or disclaimer, while claims 3 and 15 are being amended to correct formal errors and to more particularly point out and distinctly claim the subject invention. Claim 11 through 14 stand withdrawn from consideration in this application. In addition, new claims 17 and 18 are hereby submitted for consideration.

Formal Objections or Rejections

Claims 3 to 10, 15, and 16 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 to 6 of U.S. Patent No. 6,441,874.

Applicants respectfully submit that a "Terminal Disclaimer" in compliance with 37 C.F.R. §1.321© is filed accompanying this reply. Therefore Applicants respectfully petition for the above rejection to be withdrawn.

Claims 3 to 10, 15 and 16 are rejected under 35 U.S.C. §112, second paragraph, for being indefinite, for failing to point out and distinctly claim the subject matter which Applicants regard as the invention.

Applicants have amended claims 3 and 15 and believe that the amendments made to the claims cured the informality. The Examiner is respectfully invited to review the amendment and withdraw the rejection.

Prior Art Rejections

Claims 3, 5, and 9 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Imoto, U.S. Patent No. 5,742,366, (further the ' 366 patent). Applicants respectfully traverse the rejection.

In the Office Action, on page 4, line 4, the Examiner alleges that the '366 patent discloses "at least lamp holder 22 holding the fluorescent lamp at an electrode portion". Applicants respectfully disagree.

The '366 patent discloses "A fluorescent tube reflection sheet 22 fastened to the light-guide plate 14 and to the light-guide plate reflection sheet 21 by using an adhesive tape 23 in a manner to wrap around the fluorescent tube 13. " Element 22 referred to by the Examiner is not a "lamp holder" but "a fluorescent tube reflection sheet". Applicants carefully reviewed the '366 patent and do not find in its disclosure reference made to element "lamp holder".

Further, in connection with the Examiner's allegation that "at least lamp holder 22 holding the fluorescent lamp at an electrode portion" Applicants respectfully submit that the only time when the '366 patent recites a "lamp" is in the following context: "In the above description, the fluorescent lamps 13 are located on both sides of the display means 19". Based on the above Applicants respectfully disagree with the Examiner's allegation that the reflection means 22 is holding the fluorescent lamp at an electrode position.

Due to the reasons outlined above Applicants respectfully ask the Examiner to withdraw the rejection regarding claim 3, due to the fact that the '399 patent does not recite or disclose all the features of the invention as recited in claim 3.

Claims 5 and 9 are dependent from and add features to the claim discussed above. In view of the above arguments, Applicants will contend that they are also allowable for at least the same reasons and for reasons contained therein.

In addition, the Examiner alleges in the office action, on page 4, lines 7 to 10 that "Imoto discloses that the heat conduction means 11 and the lamp holder 22 may be constitutes by the same member, wherein the material being used is acrylic resin. Thus the thermal conductivity of the acrylic resin (the lamp holder) is at least lower than the thermal conductivity of silicone rubber." Applicants respectfully disagree.

The '366 patent discloses in col. 8, lines 19-20 that "In table 1 are listed heat conductivity of the materials that can be used as the heat conduction means 11." The '366 patent teaches that the heat conduction means 11 can be made of iron, aluminum or copper, materials with large heat conductivity. The '366 patent does not teach that heat conduction means 11 can be made of vinyl chloride or acrylic resin, materials that have small heat conductivity. However, per the '366 patent disclosure made in col. 8, lines 21-25, the heat conduction means needs large heat conductivity to obtain larger effect. Also, in col. 6, lines 21-24 the '366 patent discloses that "the heat conduction means 11 used in the present

invention is a plate-like member made of a material having a high heat conductivity such as iron, copper, aluminum and the like". Further, in col. 2, lines 12-14, the '366 patent recites that "an acrylic resin material has a low heat conductivity". Therefore the Examiner's allegation that the heat conduction means of the '366 patent is made of acrylic resin is in contradiction with the disclosure of the patent itself.

Claims 4, 10, 15 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Imoto, U.S. Patent No. 5,742,366 (further the '366 patent). Applicants respectfully disagree.

Claims 4 and 10 are dependent from and add features to claim 3, discussed above. In view of the above arguments, Applicants will contend that they are also allowable for at least the same reasons and for reasons contained therein.

Regarding claim 16 the Examiner states in the office action on page 4, lines 14 – 16 that "... the lamp holder 22 is made of metal, and the spacer is commonly made of materials such as rubber. Thus, the thermal conductivity of the spacer is at least equal to or lower than the thermal conductivity of the lamp holder."

In response to the rejection of claim 3, Applicants argued that element "lamp holder 22" disclosed by the '366 patent is different from element "at least one lamp holder" disclosed by claim 3 and claim 15.

Claim 16 depends from and adds features to claim 15, discussed above. In view of the above arguments, Applicants will contend that claim 16 is also allowable for at least the same reasons and for reasons contained therein.

The Examiner states in the Office action, on page 4, lines 17 – 20 that "the use of a double-piped cold cathode fluorescent lamp yields several advantages such as suppressing heat generated, obtaining high luminiscence. Therefore, it would have been obvious to one of ordinary skill in the art to employ a double-piped cold cathode fluorescent lamp for several advantages such as heat-suppression, high luminiscence". Applicants respectfully disagree.

The same argument made above in connection with claim 3, regarding the Examiner's allegation about element 22 applies. Numeral 22 does not refer to element "lamp holder" disclosed by both claims 3 and 15. Further, claim 15 recites a "lamp holder holding said at least one fluorescent lamp at an electrode portion," and "further comprising at least one spacer provided between said lamp holder and said housing."

The '366 patent does not disclose that the reflection means 22 are holding the lamp at an electrode portion. This can be observed in Fig. 1B from the '366 patent that is a sectional view along line B-B' of FIG. 1A.

The spacer element disclosed by claim 15 is provided between one lamp holder and the housing. The spacer element 23 disclosed by the '366 patent is not provided between the lamp holder and the housing 12, as illustrated in FIG. 1B.

Claims 6 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Imoto, U.S. Patent No. 5,742,366, (further the '366 patent), in view of Takao, U.S. Patent No. 5,546,203 (further the '203 patent). Applicants respectfully disagree.

Claims 6 and 7 are dependent from and add features to claims discussed above. In view of the above arguments, Applicants will contend that they are also allowable for at least the same reasons and for reasons contained therein.

In addition, claim 6 discloses that "said lamp holder has a plurality of pores therein". Applicants carefully reviewed the '203 patent and found no disclosure about the above mentioned feature.

Other matters

Claims 17 and 18 have been newly introduced. The recitations of new claims 17 and 18 are supported on page 3 of the substituted Specification filed January 23, 2002. Applicants hereby submit that no new matter is being introduced into the application through the submission of this response.

CONCLUSION

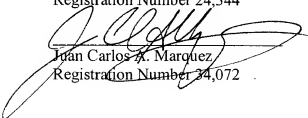
In view of all the above, Applicants respectfully submit that certain clear and distinct differences as discussed exist between the present invention as now claimed and the prior art references upon which the rejections in the Office Action rely. These differences are more than sufficient to show that the present invention as now claimed would not have been anticipated nor rendered obvious given the prior art. Rather, the present invention as a whole is distinguishable, and thereby allowable over the prior art.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to

contact the Applicant's undersigned representative at the address and phone number indicated below.

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